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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.258 OF 2007

Idris Gulam Mohammed Haji & Ors. ..Petitioners.

V/s.

State of Maharashtra & Ors. ..Respondents.

Mr.J.Reis with Jaideep Mitra and Munir Merchant for petitioners.

Mr.S.Ingawale, A.G.P. for respondents No.1 & 2.

Mr.A.Y.Sakhare, senior counsel with Ms.S.M.Modle for respondent No.3.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 11TH SEPTEMBER, 2007.

P.C. :-

The petitioners have approached this Court against the notice dated 28/11/2006 issued, for taking possession of the property. It appears that the land was reserved in the DP plan and award has been passed. The contention of the petitioners was that the notice was issued to persons who had no right or interest in the property.

2. Subsequent to that a fresh notice have been issued on 9/8/2007.

3. Considering the fresh notices, on behalf of the State, a statement is made that they will not act upon the notice issued on 28/11/2006 and will now act on the fresh notices.

4. Considering the statement which is accepted, the petition is accordingly disposed of with no orders as to costs.

(F.I.REBELL0, J.)

(J.P.DEVADHAR, J.)